

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

JEROME COLE, )  
Plaintiff, )  
v. )  
UNKNOWN BALIVIA, )  
Defendant. )

No. 1:20-cv-00124-JMB

**MEMORANDUM AND ORDER**

This matter is before the Court on its own motion. On August 7, 2020, the Court ordered plaintiff Jerome Cole to submit an amended complaint on a Court-provided form. (Docket No. 3). He was also directed to either file a motion for leave to proceed in forma pauperis or pay the filing fee. Plaintiff was given thirty days to comply. His responses were due on September 8, 2020. Plaintiff was advised that his failure to comply would result in the dismissal of this action without prejudice and without further notice.

The Court did not receive from plaintiff an amended complaint or motion for leave to proceed in forma pauperis. Instead, on August 19, 2020, mail sent to plaintiff was returned as undeliverable. (Docket No. 4). A forwarding address was not provided, so the mail was not resent.

Local Rule 2.06(B) requires every self-represented party to promptly notify the Clerk of Court of any change in address. The rule further provides that “[i]f any mail to a self-represented plaintiff or petitioner is returned to the Court without a forwarding address and the self-represented plaintiff or petitioner does not notify the Court of the change of address within thirty (30) days, the Court may, without further notice, dismiss the action without prejudice.” E.D. Mo. L.R. 2.06(B).

Here, thirty days have elapsed since plaintiff's mail was returned to the Court. Plaintiff has not provided his new address, or submitted anything further to the Court. As such, the Court will dismiss this action without prejudice.

Accordingly,

**IT IS HEREBY ORDERED** that this action is **DISMISSED** without prejudice. *See E.D. Mo. L.R. 2.06(B).* A separate order of dismissal will be entered herewith.

**IT IS FURTHER ORDERED** that an appeal from this dismissal would not be taken in good faith.

Dated this 22<sup>nd</sup> day of September, 2020.

  
STEPHEN N. LIMBAUGH, JR.  
SENIOR UNITED STATES DISTRICT JUDGE